

**IN UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION**

**KAREN JACKSON,**

**Plaintiff,**

**v.**

**STARBUCKS CORPORATION,**

**Defendant.**

**CIVIL ACTION FILE NUMBER:**

**7:22-CV-51**

**REMOVED FROM STATE COURT OF  
ROBESON COUNTY  
STATE COURT CASE #:  
21-CVS-3278**

---

**DEFENDANT'S NOTICE OF REMOVAL**

---

**TO: The Honorable Judges of the United States District Court for the Eastern District of North Carolina, Southern Division:**

**STARBUCKS CORPORATION** (hereinafter "Defendant"), and jointly file the following Notice of Removal to United States District Court pursuant to 28 U.S.C. §§ 1332, 1441(b), and 1446. Defendant respectfully shows this Honorable Court the following:

1. Plaintiff Karen Jackson (hereinafter "Plaintiff"), a South Carolina resident (*see* Ex. "A," ¶ 1), filed this action in the State Court of Robeson County, North Carolina on December 29, 2021, against Starbucks Corporation. That action is designated there as Civil Action File No.: 21 CVS 3278. A true and correct copy of the Complaint is included in the State Court file attached as Exhibit A.

2. Defendant Starbucks Corporation is now and was at the commencement of Civil Action File No. 21 CVS 3278, and at all times since has been a foreign corporation incorporated and existing under the laws of the State of Washington with its principal place of business in the State of Washington. (*See* Ex. A, ¶ 2.)

3. Defendant is diverse from Plaintiff.

4. Pursuant to North Carolina law, Plaintiff's Complaint stated that she was seeking "an amount more than Twenty-Five Thousand Dollars (\$25,000.00)." (*See* Ex. A, ¶ 18.)

5. On Friday, March 17, 2022, Plaintiff served her response to Defendant's Request for Monetary Relief Sought, in which the Plaintiff stated she is seeking \$100,000. (*See* Ex. B.)

6. The action described above is a civil action with a claim of which this Court has original jurisdiction, and it is one that may be removed to this Court by the Defendant pursuant to the provisions of 28 U.S.C. §§ 1332 and 1441 *et seq.*, in that there is complete diversity among the Parties, the adverse Parties were not residents of the same State at the time of filing of the Complaint, and the amount in controversy exceeds \$75,000 exclusive of interest and costs.

7. This Notice of Removal is timely as Defendant was served with Plaintiff's Response to Defendant's Request for Monetary Relief Sought on March 17, 2022. Defendant files this Notice of Removal within the thirty (30) days prescribed by law pursuant to 28 U.S.C. § 1446 (b), (c).

8. Venue in the Eastern District of North Carolina, Southern Division, is proper under 28 U.S.C. § 1441(a) because this Court is the United States District Court for the district and division corresponding to the place where the State Court Action is pending.

9. Defendant will file a copy of this Notice of Removal with the Clerk of Court for Robeson County, North Carolina, and serve counsel for Plaintiff pursuant to 28 U.S.C. § 1446(d).

10. Defendant files a copy of all process, pleadings, and orders received by Defendant in the State Court Action pursuant to 28 U.S.C. § 1446, attached as Exhibit A.

11. Defendant timely filed its Answer and Defenses to the Amended Complaint on March 11, 2022.

12. A copy of Defendant's Notice of Removal, which will be filed in the State Court Action, is attached as Exhibit C.

**WHEREFORE**, Defendant removes the above-captioned action from the Robeson County Superior Court and respectfully request that further proceedings be conducted in this Court as provided by law.

This 29th day of March, 2022.

/s/Ashley B. Bartolucci

Tricia M. Derr, N.C. State Bar # 24438

Ashley B. Bartolucci, N.C. State Bar # 51572

Lincoln Derr PLLC

4350 Congress Street, Suite 575

Charlotte, North Carolina 28209

Telephone: (704) 496-4500

Facsimile: (866) 393-6043

Email: [tricia.derr@lincolnderr.com](mailto:tricia.derr@lincolnderr.com)

Email: [ashley.bartolucci@lincolnderr.com](mailto:ashley.bartolucci@lincolnderr.com)

***Attorneys for Defendant Starbucks Corporation***

**CERTIFICATE OF SERVICE**

**I HEREBY CERTIFY** that **DEFENDANT'S NOTICE OF REMOVAL** was served on all parties through their counsel via email and properly addressed, as follows:

R. Kenneth Helms, Jr., Esq.  
Helms Robison Lee & Bennett, P.A.  
Post Office Drawer 99  
Monroe, NC 28111  
[khelms@hrlbattorneys.com](mailto:khelms@hrlbattorneys.com)

*Attorney for Plaintiff*

**THIS** 29th day of March, 2022.

/s/ Ashley B. Bartolucci  
\_\_\_\_\_  
Ashley B. Bartolucci